

August 7, 2006

Steven S. Broadley 617-973-6136 617-722-4909 FAX sbroadley@pbl.com

By Email

The Honorable Patti B. Saris U.S. Courthouse One Courthouse Way Boston, MA 02210

Re:

Timothy M. Browder v. National Financial Systems, Inc.

Docket No. 05-CV-10464-PBS

Dear Judge Saris:

Enclosed, pursuant to your order of July 25, find an Affidavit of my client as to its net worth. This is to be considered in connection with the parties' request for approval of this settlement.

Please note:

- 1. The recited date is June 30 rather than July 25, as that was the date the most recent financial period closed;
- 2. The Affidavit is not "under penalties of perjury", due to a misunderstanding, but it is sworn before a notary as true and accurate, on personal knowledge; I will have it further attested under penalty of perjury if you would like;
- 3. I have the original and can deliver it to you on request.

Very truly yours,

Steven S. Broadley

SSB/jlf Enclosure ID#480046v01/14528-2

cc: Franci

Francis Greene, Esquire Christopher Lefebvre, Esquire Michael Salemi, Esquire

AFFIDAVIT

STATE OF NEW YORK

COUNTY OF NASSAU

BEFORE ME, the undersigned authority, on this day personally appeared JAMES TERRIACA, known to me to be the person whose name is subscribed below and who under oath did state the following:

- My name is JAMES TERRIACA. I am over the age of 21 years and am fully competent to make this affidavit. I have personal knowledge of the facts contained in this affidavit and those facts are true and correct. I am a duly authorized representative of National Financial Systems, Inc. (NFS), and I am specifically authorized to make this affidavit.
- 2. I am familiar with the financial records of NFS as well as its net worth. The net worth of National Financial Systems, Inc., based on preliminary results reviewed by NFS' independent auditors, is \$ 3 7 8 9 9 9 as if June 30, 2006.

Further affiant sayeth not.

SUBSCRIBED AND SWORN TO BEFORE ME, on this, the

August, 2006, which witness and certify my hand and seal of office.

Notary Public, State of New York

My Commission Expires 11 [7]

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CHRISTINE M. BAUER
Notary Public, State of New York
No. 01BA5088240
Qualified in Nassau County
Comm. Expires Nov. 17, 19 2007